

APPLICATION
VACATION OF RIGHT-OF-WAY

_____ Filing Fee
_____ Filing Deadline
_____ Planning Commission Hearing
_____ City Council Hearing

REQUIREMENTS FOR MAILING NOTICES:

Applicants must send written notice of public hearings by certified or registered mail to all abutting property owners at least 10 days prior to the Planning Commission hearing and not more than 30 days prior to the City Council hearing. See detailed instructions on “Notice Requirements”.

Mail certified or registered notice of hearings between _____ and _____.

Return notice materials to Department of Planning and Zoning by _____.

APPLICATION for VACATION # _____

[*must use black ink or type*]

PROPERTY LOCATION: _____

TAX MAP REFERENCE: _____ ZONE: _____

APPLICANT'S NAME: _____

ADDRESS: _____

PROPERTY OWNER NAME: _____

(Owner of abutting area to be vacated)

ADDRESS: _____

VACATION DESCRIPTION: _____

THE UNDERSIGNED hereby applies for a Vacation Ordinance in accordance with the provisions of Chapter 10 of the Code of the State of Virginia, the Alexandria City Charter and City Code, and the Alexandria Zoning Ordinance.

THE UNDERSIGNED having obtained permission from the property owner, hereby grants permission to the City of Alexandria to post placard notice on the property for which this application is requested, pursuant to Article XI, Section 11-301 (B) of the 1992 Zoning Ordinance of the City of Alexandria, Virginia.

THE UNDERSIGNED also attests that all of the information herein provided and specifically including all surveys, drawings, etc., required of the applicant are true, correct and accurate to the best of their knowledge and belief.

Print Name of Applicant or Agent

Signature

Mailing/Street Address

Telephone #

Fax #

City and State

Zip Code

Date

===== ***DO NOT WRITE BELOW THIS LINE - OFFICE USE ONLY*** =====

ACTION - PLANNING COMMISSION: _____

ACTION - CITY COUNCIL: _____

OWNERSHIP AND DISCLOSURE STATEMENT

Use additional sheets if necessary

1. Applicant. State the name, address and percent of ownership of any person or entity owning an interest in the applicant, unless the entity is a corporation or partnership, in which case identify each owner of more than ten percent. The term ownership interest shall include any legal or equitable interest held at the time of the application in the real property which is the subject of the application.

Name	Address	Percent of Ownership
1.		
2.		
3.		

2. Property. State the name, address and percent of ownership of any person or entity owning an interest in the property located at _____ (address), unless the entity is a corporation or partnership, in which case identify each owner of more than ten percent. The term ownership interest shall include any legal or equitable interest held at the time of the application in the real property which is the subject of the application.

Name	Address	Percent of Ownership
1.		
2.		
3.		

3. Business or Financial Relationships. Each person or entity listed above (1 and 2), with an ownership interest in the applicant or in the subject property is required to disclose **any** business or financial relationship, as defined by Section 11-350 of the Zoning Ordinance, existing at the time of this application, or within the 12-month period prior to the submission of this application with any member of the Alexandria City Council, Planning Commission, Board of Zoning Appeals or either Boards of Architectural Review.

Name of person or entity	Relationship as defined by Section 11-350 of the Zoning Ordinance	Member of the Approving Body (i.e. City Council, Planning Commission, etc.)
1.		
2.		
3.		

NOTE: Business or financial relationships of the type described in Sec. 11-350 that arise after the filing of this application and before each public hearing must be disclosed prior to the public hearings.

As the applicant or the applicant's authorized agent, I hereby attest to the best of my ability that the information provided above is true and correct.

Date

Printed Name

Signature

Alexandria City Council

William Euille, Mayor
Kerry Donely, Vice Mayor
Frank Fannon IV
Alicia Hughes
Rob Krupicka
Redella “Del” Pepper
Paul Smedberg

Planning Commission

John Komoroske, Chair
H. Stewart Dunn, Vice Chair
Donna Fossum
J. Lawrence Robinson
Mary Lyman
Jesse Jennings
Eric Wagner

Board of Zoning Appeals

Harold Curry, Chair
Mark Allen, Vice Chair
Geoffrey Goodale
David Lantzy
Jennifer Lewis
Eric Zander
John Keegan

**Board of Architectural Review
Old and Historic District**

Thomas Hulfish, Chair
Oscar Fitzgerald, Vice Chair
Arthur Keleher
Wayne Neale
Peter Smeallie
James Spencer
John Von Senden

**Board of Architectural Review
Parker-Gray District**

William Conkey, Chair
Deborah Rankin, Vice Chair
Christina Kelley
H. Richard Lloyd, III
Robert Duffy
Douglas Meick
Philip Moffat

Updated 5/1/2010

Definition of business and financial relationship.

Section 11-305 of the Zoning Ordinance defines a business or financial relationship as any of the following:

- (1) a direct one;
- (2) by way of an ownership entity in which the member or a member of his immediate household is a partner, employee, agent or attorney;
- (3) through a partner of the member or a member of his immediate household;
- (4) through a corporation in which any of them is an officer, director, employee, agent or attorney or holds 10 percent or more of the outstanding bonds or shares of stock of a particular class. In the case of a condominium, this threshold shall apply only if the applicant is the title owner, contract purchaser, or lessee of 10% or more of the units in the condominium;
- (5) not as an ordinary customer or depositor relationship with a professional or other service provider, retail establishment, public utility or bank, which relationship shall not be considered a business or financial relationship;
- (6) created by the receipt by the member, or by a person, firm, corporation or committee on behalf of the member, of any gift or donation having a value of more than \$100, singularly or in the aggregate, during the 12-month period prior to the hearing on the application from the applicant.

Instructions for Vacation of Right-of-Way Applications

The vacation of a public right-of-way for a street or alley, emergency vehicle easements, sewer easements and other public easements or rights-of-way in the City of Alexandria, Virginia must be approved by the Alexandria City Council through public hearings.

1. **FILING DEADLINE:** Vacation applications must be submitted to the Department of Planning and Zoning at least 49 calendar days prior to the scheduled Planning Commission hearing date. Call the Planning Department (838-4666) to obtain the filing deadline date. Failure to submit all required information and plans by the filing deadline will result in the application being deferred to a later hearing date.
2. **APPLICATION FORMS:** Vacation applications must contain a written legal metes and bounds description of the area to be vacated, and must also include 28 copies of a plat showing the proposed area to be vacated. Complete the application form using black ink or type. Sign the form, and include a daytime telephone number.
3. **PLANS:** Applicants must submit 28 copies of an engineer's survey and/or other plans with the vacation application. Plans must be individually folded to a maximum size of 9" x 14" and in such manner that the lower right corner of the plan is on top with the plan title in view. Rolled plans will not be accepted.
4. **FILING FEES:** Applicants must submit a filing fee with the application. Exact fee amount may be obtained from the Planning staff. Applicants are also required to pay a Viewer's Fee of \$50.00 per viewer (not less than three or more than five viewers) within 30 days after the viewer's report is submitted to the City Council. Failure to pay the Viewer's Fee within the designated time period will stop the process and no vacation ordinance will be written by the City Attorney.
5. **PROPERTY OWNER NOTIFICATION:** The applicant must provide written notice to all abutting and facing property owners. (See attached detailed instructions). Failure to send accurate or correct notices will result in deferral of the application to a later hearing date.
6. **STAFF REPORT:** A staff report with recommendation will be prepared and made available in the Department of Planning and Zoning office. The report is typically available 11 days prior to the Planning Commission hearing.

NOTE: The vacation process must be completed prior to approval of any building permits that may be submitted.

FOR ASSISTANCE WITH ANY OF THESE PROCEDURES
CALL THE DEPARTMENT OF PLANNING & ZONING AT (703) 746-4666